

AMENDED IN ASSEMBLY JUNE 1, 2009

AMENDED IN ASSEMBLY MAY 11, 2009

AMENDED IN ASSEMBLY MAY 5, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

## **ASSEMBLY BILL**

**No. 1253**

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**Introduced by Assembly Members Fuller and Gilmore  
(Coauthors: Assembly Members DeVore, Harkey, and Silva)**

February 27, 2009

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An act relating to the Sacramento-San Joaquin Delta.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1253, as amended, Fuller. Sacramento-San Joaquin Delta.

The California Bay-Delta Authority Act establishes in the Natural Resources Agency the California Bay-Delta Authority. The act requires the authority and the implementing agencies to carry out programs, projects, and activities necessary to implement the Bay-Delta Program, defined to mean those projects, programs, commitments, and other actions that address the goals and objectives of the CALFED Bay-Delta Program Record of Decision, dated August 28, 2000, or as it may be amended.

The act requires the authority to establish a board of independent scientists, known as the Independent Science Board, to advise and make recommendations to the authority and the Bay-Delta Public Advisory Committee, as appropriate, on the science relative to implementation of all program elements.

This bill would require the board to conduct an independent scientific review of existing literature and studies on fish predation in the Sacramento-San Joaquin Delta, and to prepare and submit to the

Legislature and the Governor a report, including a recommendation as to whether additional studies are needed, and, if so, additional recommendations for the design and scope of those studies and an estimate of the total costs for the studies.

*The bill would also authorize the board to enter into funding agreements with public agencies and nongovernmental organizations to pay for the cost of the independent scientific review.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. (a) The Independent Science Board shall conduct  
2 an independent scientific review of existing literature and studies  
3 on fish predation in the Sacramento-San Joaquin Delta, for the  
4 purpose of evaluating whether additional studies are needed on  
5 the effects of predation on species listed as threatened or  
6 endangered under the state or federal endangered species acts, and  
7 to determine whether predator species are adversely affecting, at  
8 a population level, native salmonids or other indigenous pelagic  
9 species in the Delta, and, if so, whether policy and operational  
10 changes are needed in the Delta to reduce the effects of predation.  
11 The review shall also include a review of existing studies on fish  
12 salvage methods and other mitigation protocols at state and federal  
13 pumping facilities and recommendations for changes in  
14 methodologies to improve survival.

15 (b) After completing the review required by subdivision (a), the  
16 Independent Science Board shall prepare and submit to the  
17 Legislature and the Governor a report that includes the following:

18 (1) A recommendation on whether additional studies are needed.

19 (2) If the Independent Science Board recommends additional  
20 studies, recommendations for the design and scope of those studies  
21 and an estimate of the total costs for the studies.

22 (c) *The Independent Science Board may enter into funding*  
23 *agreements with public agencies and nongovernmental*  
24 *organizations to pay for the cost of the independent scientific*  
25 *review specified in subdivision (a).*

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